BILL NO. Z-86-07-25

ZONING MAP ORDINANCE NO. Z-Wildbrook

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. P-22.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B (Limited Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lots 43 thru 48 in Paramount Place Addition,

and the symbols of the City of Fort Wayne Zoning Map No. P-22, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

_____
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

_____
BRUCE O. BOXBERGER, CITY ATTORNEY

FOX RIVER BOND
25% COTTON

Memorandum

To Sandra Kennedy, City Clerk Date 9-8-86

From Wayne O'Brien - Land Use Management - CD&P

Subject Bill No. Z-86-07-25

COPIES TO:

File

Attached you will find a letter from the attorney representing the petitioner regarding the above rezoning. As the Plan Commission has already acted upon this petition, and has forwarded their recommendation to Council, this request for Withdrawal is no longer under the Commission's jurisdiction. We are therefore forwarding this request to Council.

/pb

Attachment

HAYES, SWIFT & FINLAYSON
LAWYERS
590 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802
TELEPHONE (219) 423-4422

WILLIAM D. SWIFT
CRAIG R. FINLAYSON
CORNELIUS B. (NEIL) HAYES

GRABILL OFFICE:
STATE AT MAIN
GRABILL, INDIANA 46741
(219) 627-6315

C. BYRON HAYES
1891 - 1975
J. BYRON HAYES
1920 - 1986

September 4, 1986

RECEIVED
SEP 4 1986
FORT WAYNE
CITY PLANNING COMMISSION

Mr. Wayne O'Brien
City Plan Commission
8th Floor City-County Building
Ft. Wayne, IN 46802

Re: Re-Zoning #210
Hazelwood Shopping Center expansion

Dear Wayne:

We hereby withdraw our petition to re-zone the property in the 3100 block of Crescent from R-3 to B-1-B.

You are hereby further directed to return to me the Amendment to the Restrictions previously submitted to the Plan Commission for approval.

Yours very truly,

HAYES, SWIFT & FINLAYSON

William D. Swift

WDS/clg

cc: Gary Trent

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE Zoning Ordinance Amendment R-3 to B1B

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

East side of Crescent Avenue where it intersects with North Anthony Bl.

Reason for Project

To allow for development of a strip shopping center.

Discussion (Including relationship to other Council actions)

21 July 1986 - Public Hearing

William Swift, attorney representing the owners appeared before the Commission. Mr. Swift stated that the present owner wants to sell this property to the present owner of the adjoining property, which is the Hazelwood Shopping Center for the purpose of expanding the center. He stated that the B-1-B zoning would permit a strip center, similar to the one that is there. He stated that there are restrictive covenants on the property since it is in a platted subdivision. He stated that they have obtained the necessary approvals of the neighbors there and owners of the lots in Paramount Place Addition to amend the covenants. He stated that in the amendment they have stated that all restrictive covenants would be amended on just 43 through 48 inclusive and they would also consent to the expansion of the Hazelwood Park Retail Center and they would consent to the rezoning of the lots to B-1-B. Mr. Swift stated they have no problem with any of the staff recommendations as stated in the staff analysis, with the exception that No. 2 under conditions states that the "existing Hazelwood Center acess should be used - no access on Crescent Avenue should be permitted". He stated that if the proposed purchaser does not but this and you have a separate retail center they may have trouble getting to the property. He stated that perhaps the condition should read with that the access should be limited to whatever is approved by Traffic Engineering. He submitted a site drawing of the area to the Commission done by Alan Grinsfelder, architect. He stated that they have taken a lot of thought when protecting the residential character of the surrounding neighborhood. He stated that they have screened the south end and the site plan is set up so that the truck traffic will be to front, rather than to the rear of the retail stores. Mr. Swift stated that the property presently is an eyesore. He stated that it is a vacant lot immediately south of the existing plaza.

Edith Kenna questioned how large the property was.

Mr. Swift stated it is 1.06 acres.

Ms. Kenna questioned if Traffic Engineering has given comments on this development. Ms. Kenna stated that she felt the access to the center is terrible.

V.C. Seth stated that there are no comments from Traffic because there is no development plan. He stated if the property is rezoned it will have to be commercially routed at that time Traffic Engineering will have their input.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Rosemary Carley Glen Crowell, Jr. **City Department** **Other**
Opponents	**Groups or Individuals** Area Residents Ray Racine **Basis of Opposition** -would increase traffic congestion -reduce property values
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [ ] For [XX] Against [ ] No Action Taken [ ] For with revisions to conditi (See Details column for condit
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not p

DETAILS

Mr. Swift stated that the entire intersection is being redesigned.

Alan Grinsfelder, architect, stated that last year when he started to do the site of the area he met with Walt Stout and Walt Borcherding of Traffic Engineering and Street Engineering, respectively. He stated that they gave him the drawing of the redesign of this intersection. He stated that they showed the plan that was presented to the Commission to Mr. Stout and Mr. Borcherding. He stated he would not say that it received 100% approval from them, but they felt it was probably the best solution that they could see. He stated that in the redesign of that intersection the access off of Hazelwood was to be closed and the access that is there now - there was another access north of that on Crescent Avenue - and they were trying to get a location that would serve both the curvature of the street that they are proposing and still give access to the site.

Herman Freidrich questioned if Hazelwood was not their only access.

Mr. Grinsfelder stated no - there is also access from Crescent Avenue.

Edith Kenna questioned when the redesigning of the intersection would take place.

There was no date or time frame given. It was stated that it was a State Highway project.

Ben Eisbart stated that he felt Mr. Grinsfelder meet with Walt Stout, Director of Traffic Engineering and see if they could iron out any concerns that had been raised that evening.

OPPOSITION:

Glen Emley, attorney for the residents of 3110 Crescent Avenue and 3025 North Anthony Bl. He stated that his clients objected to the rezoning. He stated that his clients did not want anymore commercial traffic in the area. He stated that his clients felt there was more than a sufficient amount of commercial development in the area. He stated that they are quite concerned that more commercial development will reduce their property value. He also presented the Commission with a remonstrance signed by 94 of the area residents in opposition to the rezoning.

Barbara Hanna, 1924 Hazelwood
Ray Racine, with Northside Neighborhood Association:

appeared before the Commission in opposition to the rezoning stating similar reasons of those presented by Mr. Emley and singling out the traffic problem in the area as one of the major concerns of rezoning this property for a retail strip center.

Ben Eisbart stated that it might help if Mr. Emley meet with Mr. Swift and take along any of the concerned area residents and discuss the proposal that Mr. Swift's client have. He stated they should do this prior to the Business Meeting on the 28th, and if the Commission sees a need they can continue the case to a later date.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Mr. Swift stated in rebuttal that the center that they have proposed will of course generate traffic, but not anymore than the area can handle. He stated that as far as he was aware the intersection restructuring is to take place within the next construction season. He stated that they have not just sprang this idea on the area. He stated that they have had people in the area for the last 16 months willing to talk to the residents about the proposal, to show them the plans, discuss the things they would do in order to protect the residential character of the neighborhood. He stated that he is more than willing to meety with the area residents prior to the Business Meeting on the 28th.

There was no one present who wished to speak in favor of or in opposition to the proposed request.

25 August 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO NOT PASS recommendaiton, motion carried.

Of the eight members present 7-voted in favor of denial 1-did not vote.

Project Start **Date** 20 June 1986

Projected Completion or Occupancy **Date** 5 September 1986

Fact Sheet Prepared by **Date** 5 September 1986

Patricia Biancaniello

Reviewed by **Date** 8 September 1986

Gary Backe

Reference or Case Number

Read the first time in full and on motion by Gerdink, seconded by Henry, and duly adopted, read the second ti by title and referred to the Committee R. Regulations (and the C Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wa Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,

DATE: 7-22-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on it passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	____	____	_____	_____	_____
BRADBURY	____	____	_____	_____	_____
BURNS	____	____	_____	_____	_____
EISBART	____	____	_____	_____	_____
GiaQUINTA	____	____	_____	_____	_____
HENRY	____	____	_____	_____	_____
REDD	____	____	_____	_____	_____
SCHMIDT	____	____	_____	_____	_____
STIER	____	____	_____	_____	_____
TALARICO	____	____	_____	_____	_____

DATE: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indian on the _____ day of _____, 19____ at the hour of _____ o'clock _____.M.,E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____ 19_____, at the hour of _____ o'clock _____.M.,E.S.T.

WIN MOSES, JR., MAYOR

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

CK # 2795

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

№ 1106

FT. WAYNE, IND., 6-20 19 86

RECEIVED FROM Hayes, Swift & Finlayson $ 50.00

THE SUM OF Fifty and 00/100 DOLLARS

ON ACCOUNT OF Wayne R-36 B-1-B

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Glenn B. Crowell, Jr., ~~Jean M. Crowell~~, Rosemary Carley, James G. Crowell, Charles W. Shady, William Carley and Harold Painter
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from ~~a~~/an R-3 District to a/an B-1-B District the property described as follows:

Lots 43 through 48 in Paramount Place Addition

(As per Exhibit A attached, the plat restrictions for these lots have been released. The instrument will be recorded.)

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

bare ground -- intersection of Crescent at North Anthony

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Glenn B. Crowell, Jr. (Lot 43)	1931 Buckskin Dr. Ft. Wayne, In.		Glenn B Crowell
~~Jean M. Crowell~~	1931 Buckskin Dr. Ft. Wayne, In.		~~Jean M Crowell~~
Rosemary Carley (Lot 48)	429 Dalgren Ave. Ft. Wayne, In.		Rosemary Carley
(Name)	(Address)		(Signature)

(see additional sheets for additional signatures)
(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinan being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

William D. Swift	590 Lincoln Tower Ft. Wayne, IN 46802	219-423-4422
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearir approximately ten (10) days prior to the meeting.

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We _____
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an _____ District to a/an _____ District the property described as follows:

_____

_____

_____

_____

_____

_____

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: _____

_____

_____

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
James G. Crowell (Lot 44)	1931 Buckskin Dr. Ft. Wayne,In.	James G. Crowell

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinan being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearir approximately ten (10) days prior to the meeting.

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We _____
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an _____ District to a/an _____ District the property described as follows:

_____

_____

_____

_____

_____

_____

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

_____

_____

_____

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)		(Address)	(Signature)
Charles W. Shady	(Lot 45)	3522 Weston Ridge Pl.Ft.Wayne,In.	Charles W Shady
William Carley	(Lot 46)	429 Dalgren Ave.Ft. Wayne,In.	William Carley
Harold Painter	(Lot 47)	3519 Kirkfield Dr.Ft.Wayne,In.	Harold Painter

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordina being sent to the newspaper for legal publication. If the request for deferra continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at wh it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that ar ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the ma for hearing before the City Plan Commission. (FILING FEE $50.00)

_____ or agent

"EXHIBIT A"

AMENDMENT TO THE RESTRICTIONS, CONDITIONS AND LIMITATIONS OF PARAMOUNT PLACE ADDITION

WHEREAS, an extension of the Hazelwood Plaza Retail Center has been proposed which will encompass all of Lots 43 through 48, both inclusive, in Paramount Place Addition;

AND WHEREAS, the plat of said Paramount Place Addition contains certain Restrictions, Conditions and Limitations to which all lots and parcels of ground in said addition are subject;

AND WHEREAS, said plat also contains a provision that said Restrictions, Conditions and Limitations may be modified or abolished by two-thirds of the owners of the lots in said addition;

AND WHEREAS, the undersigned have no objection to said extension, which may violate said Restrictions, Conditions and Limitations as they currently exist;

NOW THEREFORE, the undersigned, representing at least two-thirds of the owners of lots in Paramount Place Addition, in consideration of One Dollar ($1.00) and other good and valuable consideration, receipt whereof is hereby acknowledged, hereby release Lots 43 through 48, both inclusive, in Paramount Place Addition from all of the Restrictions, Conditions and Limitations thereon as set forth in the plat of said addition of record in Plat Record 12, page 68, in the Office of the Recorder of Allen County, Indiana, which are inconsistent with the use of said lots as a retail center and further consent to the expansion of the Hazelwood Park Retail Center, which is a complex consisting of retail businesses, to encompass all of said Lots 43 through 48, so long as such expansion is in accordance with the zoning restrictions of the City of Fort Wayne, Indiana. This release shall also apply to building set-back lines and easements shown on the face of said plat.

The undersigned further understand and consent to the re-zoning of said Lots 43 through 48, both inclusive, in Paramount Place Addition to a "B-1-B" District as defined in the Zoning Ordinance of the City of Fort Wayne, Indiana.

Date: December 2, 1985

Raymond L Fark
Raymond L. Fark

Owner(s), Lot Number 9

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 2 day of December, 1985, personally appeared Raymond L. Fark being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A Kummer
Kay A. Kummer
Notary Public
County of Residence: Allen

Date: ~~Dec~~ January 10, 1985

* Opal L. Pusey

Opal L. Pusey

Owner(s), Lot Number 10

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 10 day of January, 1985, personally appeared Opal L. Pusey being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: Jan. 16, 1986

Irene M. Link
Irene M. Link

Jay A. Klingler
Jay A. Klingler

Sandra I. Klingler
Sandra I. Klingler

Owner(s), Lot number 12

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 16 day of January, 1986, personally appeared Irene M. Link, Jay A. Klingler, and Sandra I. Klingler each being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Kay A. Kummer
Notary Public
County of Residence: Allen

Date: DEC 2ND, 1985

Timothy M. Coan

Suellyn S. Coan

Owner(s), Lot Number 13

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 2 day of December, 1985, personally appeared Timothy M. Coan and Suellyn S. Coan, husband and wife, both being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: March 26, 1985

Jo (Colone) Calabrese

1813 Glenwood Ave

Owner(s), Lot Number 14

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 26 day of March, 1985, personally appeared Jo (Colone) Calabrese, being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: January 28, 1985

Richard L. Bowlby

Richard L. Bowlby

Leona F. Holtzman

Leona F. (Bowlby) Holtzman

Owner(s), Lot Number 15

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 28 day of January, 1985, personally appeared Richard L. Bowlby and Leona F. (Bowlby) Holtzman son & mother being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: Jan. 31, 1986, ~~1985~~

Harold R. Lowder

Harold R. Lowder

Owner(s), Lot Number 16

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31 day of January, 1986, personally appeared Harold R. Lowder being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: 3-25, 1986

Michael Meier

Michael Meier

Linda Meier

Linda Meier

Owner(s), Lot Number 17

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 25 day of March, 1986, personally appeared Michael Meier and Linda Meier, husband and wife, both being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: May 8, 1986

X Bertha L. Luebke
BERTHA L. Luebke

Owner(s), Lot Number 18

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 8th day of May, 1986, personally appeared Bertha L. Luebke being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
7-21-89

Gary L. Trent
Notary Public
County of Residence: Allen

GARY L TRENT
NOTARY PUBLIC STATE OF INDIANA
ALLEN CO.
MY COMMISSION EXP. JUL 21,1989
ISSUED THRU INDIANA NOTARY ASSOC.

Date: December 4, 1985

James J. Stout

Melissa J. Stout

Owner(s), Lot Number 21

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 4 day of December, 1985, personally appeared James J. Stout and Melissa J. Stout, husband and wife, both being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: December 3, 1985

Lew C. Brendel

Lewis C. Brendel

Owner(s), Lot Number 22

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 3 day of December, 1985, personally appeared Lewis C. Brendel being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: 1-30-1986, ~~1985~~

Jean Douglass Wagstaff
Jean Douglass Wagstaff

1822 Vana Ave.

Owner(s), Lot Number 23

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 30 day of January, 1986, personally appeared Jean Douglass Wagstaff being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Kay A. Kummer
Notary Public
County of Residence: Allen

Date: Jan 13, 1986, ~~1985~~

Ora Z. Patterson

Ora Z. Patterson

Owner(s), Lot Number 25

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 13 day of January, 1986, personally appeared Ora Z. Patterson being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Kay A. Kummer
Notary Public
County of Residence: Allen

Date: January 28, ~~1985~~ 1986

Sheila Marie Mix

Sheila Marie Mix

Owner(s), Lot Number 27

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 28 day of January, 1986, personally appeared Sheila Marie Mix being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Kay A. Kummer
Notary Public
County of Residence: Allen

Date: January 28, 1985

James E. Raupfer

Geraldine A. Raupfer

Owner(s), Lot Number 28 and 29

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 28 day of January, 1985, personally appeared James E. Raupfer and Geraldine A. Raupfer, husband and wife, both being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: January 30, 1986

Timothy E. Thomas

Timothy E. Thomas

Shayne L. Thomas

Shayne L. Thomas

Owner(s), Lot Number 33

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 30 day of January, 1986, personally appeared Timothy E. Thomas and Shayne L. Thomas, husband and wife, both being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: 3-24-86 ~~, 1985~~

W. Bruce Malone

W. Bruce Malone

Lanila R. Malone

Lanila R. Malone

Owner(s), Lot Number 34

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 24 day of March, 1985, personally appeared W. Bruce Malone and Lanila R. Malone, husband & wife, both, being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
11/18/89

Kay A. Kummer

Kay A. Kummer
Notary Public
County of Residence: Allen

Date: April 29, 1986

X Tammy L. Johnson
Tammy L. Johnson

X Timothy M. Johnson
Timothy M. Johnson

Owner(s), Lot Number 39

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 29th day of April, 1986, personally appeared Tammy L. & Timothy M. Johnson, husband & wife, each being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
July 21, 1989

Gary L. Trent
Notary Public
County of Residence: Allen

GARY L TRENT
NOTARY PUBLIC STATE OF INDIANA
ALLEN CO.
MY COMMISSION EXP. JUL 21,1989
ISSUED THRU INDIANA NOTARY ASSOC.

Date: May 31, 1986

Jean M. Crowell

Jean M. Crowell

Owner(s), Lot Number 40 Paramount Place

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31st. day of May, 1986, personally appeared

Jean M. Crowell

being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

6/16/88

Rosemary Carley

Notary Public Rosemary Carley
County of Residence: Allen

Date: May 31, 1986

Glenn B. Crowell, Jr.

Owner(s), Lot Number 43 Paramount Place

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31st day of May, 1986, personally appeared Glenn B. Crowell, Jr. being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

6/16/88

Rosemary Carley
Notary Public Rosemary Carley
County of Residence: Allen

Date: May 31 ,1986

James G. Crowell

Owner(s),Lot Number 44 Paramount Place

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31 st day of May, 1986, personally appeared James G. Crowell being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
6/16/88

Notary Public Rosemary Carley
County of Residence: Allen

Date: May 31 ,1986

Charles W. Shady
Charles W. Shady

Owner(s),Lot Number 45 Paramount Place

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31st. day of May, 1986, personally appeared

Charles W. Shady

being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

6/16/88

Rosemary Carley
Notary Public Rosemary Carley
County of Residence: Allen

Date: May 31, 1986

William Carley

William Carley

Owner(s), Lot Number 46 Paramount Place

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31st. day of May, 1986, personally appeared William Carley being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
6/2/1990

Harold O. Painter

Notary Public HAROLD O. PAINTER
County of Residence: ALLEN COUNTY INDIANA

Date: May 31 ,1986

Harold Painter

Owner(s),Lot Number 47 Paramount Place

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31st. day of May, 1986, personally appeared Harold Painter being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

6/16/88

Notary Public Rosemary Carley
County of Residence: Allen

Date: May 31 ,1986

Rosemary Carley

Rosemary Carley

Owner(s),Lot Number 48 Paramount Place

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 31st day of May, 1986, personally appeared

Rosemary Carley

being over the age of eighteen (18) years, and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:

6/2/1990

Notary Public
County of Residence: HAROLD O. PAINTER
ALLEN COUNTY INDIANA

This instrument prepared by William D. Swift, Attorney.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 22, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-07-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 21, 1986.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 25, 1986.

Certified and signed this
5th day of September 1986.

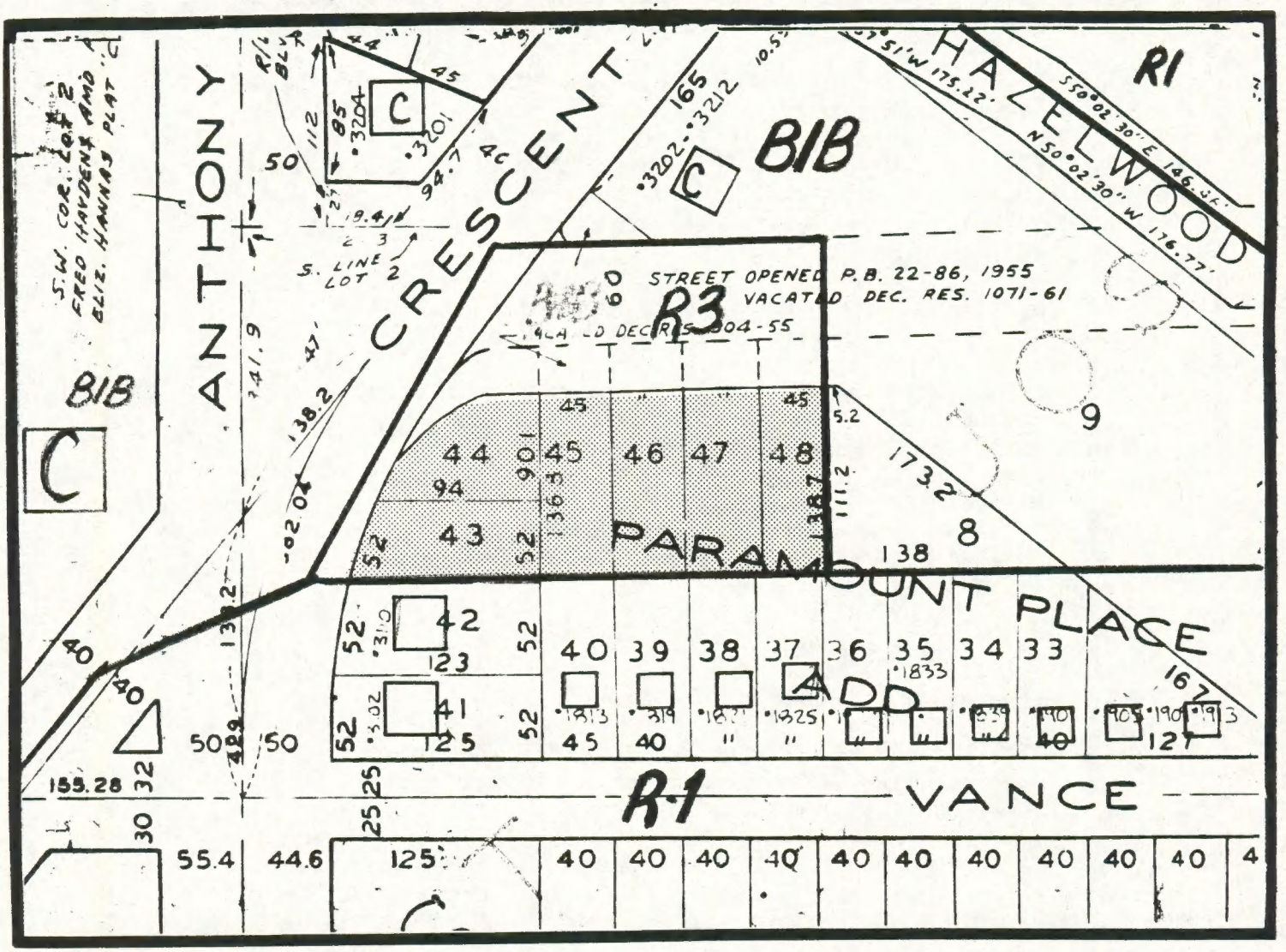
Melvin O. Smith
Secretary

REZONING PETITION

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 DISTRICT TO AN B-1-B DISTRICT.

MAP NO. P-22

COUNCILMANIC DISTRICT NO. 2



ZONING:

R1 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
BIB LIMITED BUSINESS 'B'

LAND USE:

□ SINGLE FAMILY
[C] COMMERCIAL

N

SCALE: 1"=163'

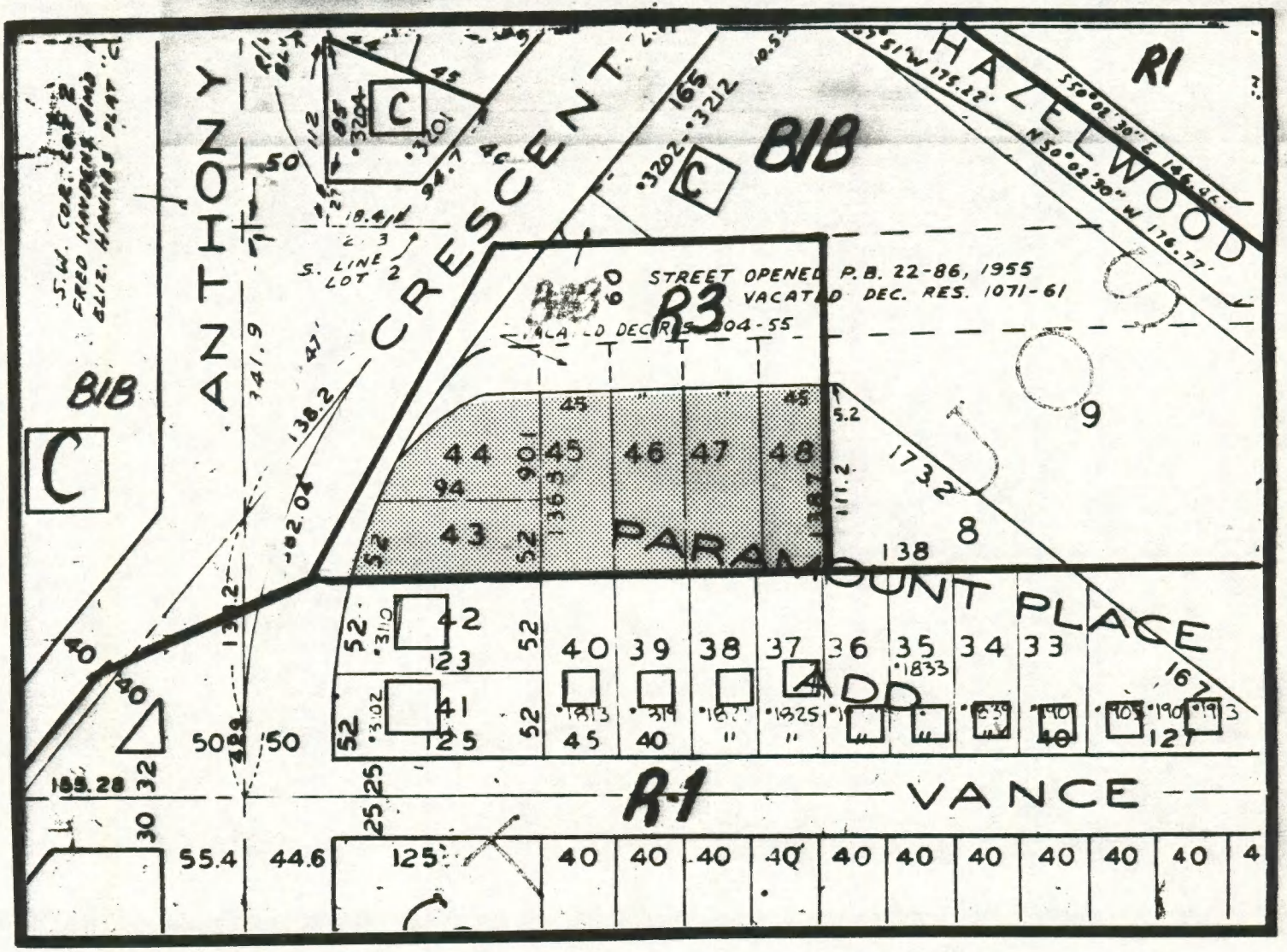
DATE: 7-1-86

REZONING PETITION - 870

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 DISTRICT TO AN B-1-B DISTRICT.

MAP NO. P-22

COUNCILMANIC DISTRICT NO. 2



ZONING:

R1 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
B1B LIMITED BUSINESS 'B'

LAND USE:

☐ SINGLE FAMILY
[C] COMMERCIAL

N

SCALE: 1"=163'

DATE: 7-1-86

Admn. Appr. _____

ORIGINAL

COUNCILMANIC DISTRICT No. ____ DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P 3-86-07-25

SYNOPSIS OF ORDINANCE A parcel of land on the east side of Crescent Avenue where it intersects with North Anthony Bl.

EFFECT OF PASSAGE Property is presently zoned R-3 - Multi-Family Residential. Property will become B-1-B - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. Z-86-07-25

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. P-22

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

YES		NO
	BEN A. EISBART CHAIRMAN	
Janet G. Bradbury	JANET G. BRADBURY VICE CHAIRWOMAN	
	DONALD J. SCHMIDT	
Thomas C. Henry	THOMAS C. HENRY	
Charles B. Redd	CHARLES B. REDD	

CONCURRED IN _____

SANDRA E. KENNEDY
CITY CLERK